

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF VERMONT

UNITED STATES OF AMERICA :
:
v. : Civil No. 2:12-cv-77
:
\$13,487 IN U.S. CURRENCY, A 2011 DODGE :
RAM 1500, VIN 1D7RV1GT3BS502173, WITH :
ALL APPURTENANCES AND ATTACHMENTS :
THEREON, AND A 2008 DODGE GRAND :
CARAVAN, VIN 1D8HN54P38B135760, WITH :
ALL APPURTENANCES AND ATTACHMENTS :
THEREON,
Defendants. :

ORDER OF FORFEITURE AND JUDGMENT

On April 19, 2012, this action was commenced when the United States filed its complaint for forfeiture *in rem* against the defendants, \$13,487 in U.S. Currency (the “Currency”) and the 2011 Dodge Ram 1500, VIN 1D7RV1GT3BS502173, with all appurtenances and attachments thereon (the “Vehicle”), pursuant to 21 U.S.C. § 881(a)(6) and 18 U.S.C. § 983, which provides for the forfeiture of property that constitutes the direct or indirect proceeds of illicit transactions in violation of Subchapter I of the Controlled Substances Act, 21 U.S.C. §§ 801-904, or that was furnished or intended to be furnished in exchange for a controlled substance.

On January 27, 2012, Michael Smith filed an administrative claim to \$3,709 of the Currency and to the Vehicle with the Drug Enforcement Administration.

On January 27, 2012, Jacqueline Sawyer filed an administrative claim with the Drug Enforcement Administration for \$7,756 of the Currency, but did not file an administrative claim to the Vehicle.

On April 20, 2012, the United States Attorney’s Office (“USAO”) mailed a copy of the Verified Complaint of Forfeiture, Warrants of Arrest, and Notice of Judicial Forfeiture Proceedings

to Mark Kaplan, Esq., counsel for claimant Jacqueline Sawyer. No claim has been filed by Jacqueline Sawyer to the Currency or the Vehicle in this action.

On April 20, 2012, the USAO mailed a copy of the Verified Complaint of Forfeiture, Warrants of Arrest, and Notice of Judicial Forfeiture Proceedings to Douglas Kallen, Esq., counsel for claimant Michael Smith.

Beginning on April 21, 2012, the Notice of Forfeiture Action was posted on an official government Internet website (www.forfeiture.gov) for at least 30 consecutive days, as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions. The posted end date of the publication was May 20, 2012.

On May 4, 2012, the U.S. Marshals Service seized the Currency.

On May 23, 2012, the U.S. Marshals Service seized the Vehicle.

On May 25, 2012, Michael Smith filed a Verified Claim to the Currency and the Vehicle, and filed an Answer to the Verified Complaint of Forfeiture on June 16, 2012.

On August 8, 2012, a Stipulation and Settlement Agreement was SO ORDERED by this Court.

NOW THEREFORE the Court finds that notice of this *in rem* action has been properly given, no other persons are known to have an interest in the Currency and Vehicle and no additional claims to it have been properly filed. The time for filing such claims pursuant to the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Claims and the Federal Rules of Civil Procedure has expired.

It appearing that process was fully issued in this action and returned according to law, on motion of the United States of America, plaintiff herein, for an Order of Forfeiture, it is hereby ORDERED, ADJUDGED, AND DECREED that the Currency and Vehicle be forfeited to the United States of America and disposed of according to the Stipulation and Settlement Agreement, and the law.

Dated at Burlington, in the District of Vermont, this 9th day of August, 2012.

/s/ William K. Sessions III
WILLIAM K. SESSIONS III
United States District Judge

JUDGMENT ENTERED ON DOCKET
DATE: August 10, 2012